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10 Attorneys for Plaintiff

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15  
16 UNITED STATES OF AMERICA, ) CR No. 08-434 SI  
17 Plaintiff, ) STIPULATION AND [PROPOSED] ORDER  
18 v. ) EXCLUDING TIME UNDER 18 U.S.C. § 3161  
19 LUIGI FULVIO PALMARES AGUILAR, )  
20 )  
21 Defendant. )  
22

23 On July 3, 2008, the parties in this case appeared before the Court for the defendant's  
24 arraignment. At that time, the parties requested, and the Court agreed, to exclude all time under  
25 the Speedy Trial Act between July 3, 2008 and August 15, 2008 because defense counsel needs  
26 time to review electronic discovery, and also because the attorneys representing both parties are  
27 unavailable until that date. The parties represented that granting the continuance was the  
28 reasonable time necessary for preparation of defense counsel and continuity of defense counsel

1 and government counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of  
2 justice served by granting such a continuance outweighed the best interests of the public and the  
3 defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

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5 SO STIPULATED:

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7 JOSEPH P. RUSSONIELLO  
United States Attorney

8

9 DATED: July 3, 2008

/s/

10 TAREK J. HELOU  
Assistant United States Attorney

11

12 DATED: July 3, 2008

/s/

13 GEOFFREY HANSEN  
Attorney for Defendant Margaret Pek Hoon Lim

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15 For the reasons stated above, the Court finds that exclusion of time from July 3, 2008  
16 through August 15, 2008 is warranted and that the ends of justice served by the continuance  
17 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161  
18 (h)(8)(A). The failure to grant the requested continuance would deny both parties continuity of  
19 counsel, and deny the defendant effective preparation of counsel, and would result in a  
20 miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

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22 SO ORDERED.

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24 DATED: 7/8/08

  
25 THE HONORABLE MARIA ELENA JAMES  
United States Magistrate Judge *Maria Elena James*

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